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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA
LAS VEGAS DIVISION**

2009 FEB 20 P 2:22

UNITED STATES OF AMERICA
CLERK U.S. DISTRICT COURT
DISTRICT OF NEVADA

BY DEPUTY

JOSEPH PROKOP
Defendant

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2009 FEB 20 A 10:48

CLERK U.S. DISTRICT COURT
DISTRICT OF NEVADA

2:09-cr-RJJ-RJJ-3 DEPUTY

2:09cr0022

NOTICE OF NON-WAIVER OF DUE PROCESS RIGHTS

Comes now Defendant, acting as co-counsel, and hereby files this notice to the court of demand for preservation of all due process rights and non-waiver of those rights.

Petitioner is now in pretrial status with pretrial deadlines due.

A. HISTORY

Defendant was indicted on January 27, 2000, charged with a 21 count indictment.

Doc. # 1.

The case is currently pending before the district court.

B. NON-WAIVER OF DUE PROCESS RIGHTS

Petitioner has a right to all Due Process as guaranteed by the Fifth Amendment and the right to access to the court as guaranteed by the First Amendment.

Petitioner notices the government and the court that he waives none of those rights unless done in open court free from threat of duress or coercion.

C. Conclusion

Petitioner notices the court that he waives none of his rights as guaranteed by the First and Fifth Amendments to the Constitution unless done in open court free from threat of duress or coercion.

Respectfully submitted,

CERTIFICATION UNDER PENALTY OF PERJURY

I, Joseph Prokop certify on this the 17th day of February,
2009, pursuant to 28 USC § 1746 that the foregoing is true and correct.

Joseph Prokop m.m. Quant
412 Ventura Way 2/20/2009
Claremont, CA 91711
(909) 319-5578

NOTICE OF FILING

On this the 17th day of February, 2009, a true and correct copy of this demand was filed with the court by placing it in the United States mail, postage prepaid, or by having it hand delivered to the clerk of the District Court.

Joseph Prokop

CERTIFICATE OF SERVICE

On this the 17th day of February, 2009, a true and correct copy of the foregoing was served on the attorney of record in this case for the United States.

Joseph Prokop